

REMARKS/ARGUMENTS

In view of the foregoing amendments and the following remarks, the applicants respectfully submit that the pending claims are not rendered obvious under 35 U.S.C. § 103. Accordingly, it is believed that this application is in condition for allowance. **If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance, the applicants respectfully request that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.**

The applicants will now address each of the issues raised in the outstanding Office Action.

Rejections under 35 U.S.C. § 103

Claims 40-56, 62-72, 76, 135 and 144 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0109063 ("the Kusaka publication") in view of U.S. Patent No. 6,396,537 ("the Squilla patent"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

First, since claims 41, 62 and 144 have been canceled, this ground of rejection is rendered moot with respect to these claims.

Next, independent claim 40, as amended, is not rendered obvious by the Kusaka publication and the Squilla patent because these references neither teach, nor make obvious, an information acquisition device which acquires digital information from a server, the information acquisition device including an image capturing unit shooting a subject and capturing image data of a subject image formed by a taking lens; an information request creation unit creating an information request that includes an address specifying the information acquisition device; a first transmission unit transmitting, wirelessly, an information request signal that includes the information request, without specifying any destination address of the information request signal; a reception unit receiving a radio signal addressed to the information acquisition device and transmitted wirelessly from the server in response to the information request signal transmitted by the first transmission unit, and acquiring information contained in the radio signal; an information storage unit storing the image data captured by the image capturing unit in addition to the information acquired by the reception unit; an operation unit detecting one user operation of a shutter switch for issuing an instruction to transmit the information request signal by the first transmission unit or to capture image data by the image capturing unit; and a mode selecting unit selecting a mode from (1) an information acquisition mode, (2) an image capture mode and (3) a mix mode, wherein when the operation unit detects the user operation of the shutter switch, then issues an instruction (A) to transmit the information request signal to the server only during the information

acquisition mode, (B) to capture image data only during the image acquisition mode, or (C) to transmit the information request signal to the server and to capture image data during the mix mode, and wherein the first transmission unit has directivity and radiates the information request signal in a direction through an optical axis of the taking lens, and the reception unit has one of (A) no directivity and (B) broader directivity than the first transmission unit. In rejecting previously presented claim 40, the Office Action cites the Kusaka publication and the Squilla patent as teaching the aforementioned features. The applicants respectfully disagree for at least the reasons set forth below.

First, please note that claim 40 has been amended to incorporate the features of claim 41 (now canceled) to include a mode selecting unit and to clarify the features of the recited operation unit. The amendments to claim 40 are supported by claim 41, block 56 in Figures 16 and 20, and page 92, line 23 through page 93, line 18 of the present application.

Second, as noted in the applicants' previous response filed November 12, 2010, the Kusaka publication fails to teach that (1) the transmitting function of the electronic camera has directivity of the direction of a taking lens, and (2) that the information request transmitted from the information acquisition device according to the present invention includes only the address of the reception unit of the information acquisition device according to exemplary embodiments consistent with the claimed invention. In contrast to

exemplary embodiments consistent with the claimed invention, in the Kusaka publication, a camera transmits information for designating an image and information for identifying a user in addition to information for identifying the camera. That is, the Kusaka publication describes transmitting information for designation information (image) to obtain information for identifying a camera and information for identifying a user to the gateway 160 so as to obtain a designated image data. The Kusaka publication also describes transmitting information for identifying an image and camera and information for identifying a user to the gateway 160 so as to obtain information for identifying the image. Accordingly, the Kusaka publication fails to teach the **information request signal that includes an address of the reception unit** as recited in claim 40, as amended. Furthermore, the addition of the Squilla patent does not compensate for the deficiencies of the Kusaka publication described above with respect to the features described.

Third, exemplary embodiments consistent with claim 40, as amended, include a mode selecting unit for selecting one of (1) the information acquisition mode, (2) the image capture mode, and (3) the mode mix mode, and that any of modes (1)-(3) selected by the mode selecting unit may be performed via user's shutter operation. This feature is neither taught, nor made obvious, by the cited references.

As indicated in paragraph [0249] of the Kusaka publication, the SELECT button 27 in Figure 3 of the Kusaka publication (cited on page 5 of Paper No. 20101221) is a button for selecting an image to be

obtained via the gateway server 160 during the playback mode. Meanwhile, in the Kusaka publication, the shooting mode button 28 and the reproduction button 29 are buttons for selecting the shooting mode and the playback mode, respectively. Unlike the mode selecting unit in embodiments consistent with the claimed invention, the shooting mode button 28 and the reproduction button 29 in the Kusaka publication are not used to select the modes (1)-(3) above. Furthermore, the addition of the Squilla patent does not compensate for the deficiencies of the Kusaka publication described above with respect to this feature.

Fourth, in rejecting claim 40, the Office Action concedes that Kusaka publication "fails to teach the transmission unit has directivity and that the transmission unit radiates the information request signal." (Paper No. 20101221, page 4) However, the Squilla patent is cited to compensate for this admitted deficiency of the Kusaka publication. The applicants respectfully disagree.

Column 4, lines 54-60 of the Squilla patent is cited as teaching that when the digital camera 24 or the film camera 26 is brought into the communication range of the image spot 10, personality data is transmitted from the camera 24 or 26 via the wireless link 60 to the image spot 10 in the Squilla patent. (See Paper No. 20101221, page 4.) However, the cited portion merely describes that the digital camera 24 is within the communication range of the image spot 10 in the Squilla patent. ***It does not teach, or make obvious, that the radiated signal, which is a transmission from the camera 24 or 26,***

has directivity in a direction through an optical axis of the taking lens of the camera 24 or 26. In fact, if the reception unit of the wireless transceiver 18 of the image spot 10 has directivity in the Squilla patent, the image spot 10 can receive a signal transmitted from the camera 24 or 26 only within the range of the directivity of the reception unit of the wireless transceiver 18 of the image spot 10 even when the transmission unit of the wireless transceiver 30 of the camera 24 or 26 transmits a non-directive signal.

In rejecting claim 40, the Office Action also states that the wireless transceiver 30 of the Squilla patent has a reception unit for receiving a signal address to the reception unit and wirelessly transmitting to the image spot 10 or the server 70. (See Paper No. 20101221, page 4, line 17 through page 5, line 2.) In addition, the Office Action indicates that the directivity of the reception unit of the wireless transceiver 30 of the digital camera 24 which receives a signal from the wireless transceiver 18 of the image spot 10 and a signal from the wireless transceiver 80 of the server 70 is broader than the directivity of the transmission unit of the wireless link 60 (i.e., the transmission unit of the wireless transceiver 30 of the digital camera 24). However, the Squilla patent does not teach that the reception unit of the wireless transceiver 30 receives a signal addressed to the reception unit.

Furthermore, the Office Action apparently contends that the wireless transceiver 80 of the server 70 receives an image transmitted directly from the wireless transceiver 30 of the camera 24 (via the wireless link 74b). (See Paper No. 20101221, page 4.) Meanwhile, in

the Squilla patent, the server 70 receives information transmitted from the camera **over the entirety of the theme park. This suggests that the wireless link 74b covers a wide area.** Thus, in the Squilla patent, it appears that in order to transmit an image from the wireless transceiver 30 of the camera via the wireless link 74b to the wireless transceiver 80 of the server 70 covering a wide area, **the address of the wireless transceiver 80 needs to be designated unlike the case in a communication between close spots.** Accordingly, if the reception unit of the wireless transceiver 30 receives a signal addressed to the reception unit from the wireless transceiver 80 in the Squilla patent, it is reasonable that a signal transmitted from the wireless transceiver 30 to the server 70 is addressed to the wireless transceiver 80. This does not support the proposition that the Squilla patent teaches, or makes obvious, that the directivity of the reception unit of the wireless transceiver 30 is broader than the directivity of the signal transmitted from the wireless transceiver 30.

Thus, the Squilla patent, and the Kusaka publication, do not teach, or make obvious, that the transmitting function of the electronic camera 100 has directivity of the direction of a taking lens, or that that the directivity of the receiving function of the electronic camera 100 is broader than the directivity for transmission.

In view of the foregoing amendments and remarks, claim 40 is not rendered obvious by the Kusaka publication and the Squilla patent. Although different in scope, claim 135, as amended, is similarly not

rendered obvious. Since claims 42-56, 63-72, 76 depend directly or indirectly from claim 40, they are similarly not rendered obvious by the cited references. Accordingly, the applicants respectfully request that the Examiner reconsider and withdraw the rejection in view of the foregoing.

Claims 57-61 and 73-75 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Kusaka publication in view of the Squilla patent, and further in view of U.S. Patent Application Publication No. 2004/0053637 ("the Iida publication"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Claims 57-61 and 73-75 depend directly or indirectly from claim 40. The purported teachings of the Iida publication would not compensate for the deficiencies of the Kusaka publication and the Squilla patent with respect to claim 40, as amended (discussed above), regardless of whether or not the Iida publication teaches what is alleged, and regardless of the absence or presence of an obvious reason to combine these references. Consequently, claims 57-61 and 73-75 are not rendered obvious by the cited references for at least this reason.

Conclusion


In view of the foregoing amendments and remarks, the applicant respectfully submits that the pending claims are in condition for allowance. Accordingly, the applicants request that the Examiner pass this application to issue.

Any arguments made in this amendment pertain **only** to the specific aspects of the invention **claimed**. Any claim amendments or cancellations, and any arguments, are made **without prejudice to, or disclaimer of**, the applicant's right to seek patent protection of any unclaimed (e.g., narrower, broader, different) subject matter, such as by way of a continuation or divisional patent application for example.

Since the applicants' remarks, amendments, and/or filings with respect to the Examiner's objections and/or rejections are sufficient to overcome these objections and/or rejections, the applicants' silence as to assertions by the Examiner in the Office Action and/or to certain facts or conclusions that may be implied by objections and/or rejections in the Office Action (such as, for example, whether a reference constitutes prior art, whether references have been properly combined or modified, whether dependent claims are separately patentable, etc.) is not a concession by the applicants that such assertions and/or implications are accurate, and that all requirements for an objection and/or a rejection have been met. Thus, the applicants reserve the right to analyze and dispute any such assertions and implications in the future.

Respectfully submitted,

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